IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: WALTER et al.

Attorney Docket No.: CALI P001D1/P041D

Application No.: Filed Herewith

Filed: Herewith

Examiner: Unassigned

Title: WAVELENGTH POWER

EQUALIZATION BY ATTENUATION IN

AN OPTICAL SWITCH

Group: Unassigned

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to attached therein are being deposited with the United States Postal Service on December 10, 2003 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number ET582748122US, addressed to: Mail Stop Patent Applications, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sue Funchess

PRELIMINARY AMENDMENT

Mail Stop Patent Applications Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Examiner:

This Preliminary Amendment is submitted concurrently with the above-referenced divisional patent application. It is respectfully requested that the preliminary amendment be entered and that the above-referenced patent application and preliminary amendment be considered together.

The Amendments to the Specification are reflected in the "Amendments to the Specification" which begin on page 2 of this paper.

Amendments to the Claims are reflected in the "Listing of Claims" which begins on page 3 of this paper.

Remarks begin on page 7 of this paper.